**IN THE HIGH COURT OF UTTARTANCHAL**
**AT NAINITAL**
**ORIGINAL JURISDICTION**

Dated: Nainital the 24th day of November, 2005

Bail Application No. 959 **of 2005**

**Order on the bail application of accused**

**CRIMINAL SIDE**

Rajiv Kumar S/o Sri Maheshwar Dayal
R/o Village Surjapur
P.O. Ruai
Police Station Bhogaun
District Mainpuri (U.P) ….Applicant.

Versus

State of Uttaranchal ….Opposite Party.

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Arising out of Case Crime No. 56 of 2003
Under Section 306 I.P.C.
Police Station Claimantown
District Dehradun

**By the court**

**Hon'ble B.C. Kandpal, J**

The applicant has applied for bail in case crime No. 56 of 2005 under Sections 306 I.P.C., Police Station Claimantown, District Dehradun.

Heard Sri Vinod Sharma, learned counsel for the applicant, learned A.G.A. and perused the record.

According to the prosecution case, there was some *Marpit* between the husband and the wife, thereafter, the husband left his house. After leaving the house by the applicant, the wife namely, Sushma committed suicide.

The application is in jail since 17.07.2005 and learned A.G.A. could not show any criminal history of the applicant before me.

Having considered the aforesaid facts and circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant, Rajiv Kumar be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

**(B.C. Kandpal, J.)**

24.11.2005
ASWAL